

Thus, claims 1-24 and 34-41, including independent claims 1 and 16, remain pending in the present application. Independent claim 1, for instance, is directed to an insulation blanket for providing thermal and noise insulation in the cabin of an aircraft. The insulation blanket comprises an insulation layer containing an insulation material positioned adjacent to a barrier layer containing a film attached to a scrim made from generally flame-retardant, textured yarns.

In the Office Action, independent claims 1 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,054,710 to Botsolas in view of 6,253,777 to Anderson. Botsolas describes a flexible jacketed insulating blanket for covering and thermally insulating pipes and other equipment with surfaces that are flat or have simple curvature. (Col. 1, lines 58-61). The jacketed insulation blanket includes, *inter alia*, a vapor barrier film, an inorganic fiber insulation layer, and a reinforcing fiberglass scrim cloth. (Col. 2 lines 6-15). For example, as shown in Fig. 2, a mass type insulation 9 is bonded to the uncoated face of a vapor barrier layer comprising polyester film 11 and an aluminum coating 12. The coating 12 is bonded by an adhesive 13 to a layer 14 of asbestos paper in which is embedded a reinforcing layer 15 of open mesh fiberglass scrim cloth. (Col 2, lines 40-67).

Applicant respectfully submits, however, that Botsolas fails to disclose various limitations of independent claims 1 and 16. For example, Botsolas describes the use of a scrim cloth 15 that may be woven from polyethylene terephthalate or nylon threads, with fiberglass threads being usually preferable. (Col 5, lines 16-21). Botsolas explains the function of the scrim cloth 15 as follows:

For illustration, in the asbestos layer 14, the embedded glass fiber strands of scrim cloth 15 greatly reinforce the strength of the felted asbestos but the glass has a much lower melting point and flame resistance than asbestos; however, the asbestos covers and insulates the glass fibers, and this protection enables the glass fibers to maintain a substantial strengthening of the asbestos layer even when the surface temperatures of the outer face of the asbestos exceed the softening or melting temperature of the strengthening agent, the glass fibers. (Col 8, lines 15-25). (Emphasis added).

As evidenced from the above, the scrim cloth 15 has a relatively low flame resistance and is used primarily for reinforcement. The asbestos layer is required to impart the desired flame resistance. To the contrary, the yarns of the scrim in independent claims 1 and 16 are generally flame retardant and textured and thus multi-functional, i.e., they facilitate flame resistance, as well as noise and thermal insulation. Such a scrim is simply not taught by Botsolas.

Applicant also notes that independent claims 16 and 34 (newly added) require an insulation layer sandwiched between a first barrier layer and a second barrier layer, wherein each barrier layer contains a film attached to a scrim. As correctly noted by the Examiner in the Office Action, however, Botsolas fails to disclose the teaching that there further comprises a second barrier layer adjacent to the insulation layer.

In the Office Action, Anderson was also cited in combination with Botsolas in an attempt to achieve the limitations of independent claims 1 and 16. Although it is not clear from the Office Action, it appears that Anderson was used as prior art under §102(e). However, it is believed that Anderson is not available as prior art to the present application. For example, under the provisions of recently amended 35 U.S.C. §103(c), a patent that qualified as prior art only under §102(e), (f), or (g) is no longer

available as prior art if the patent and the claimed invention were, at the time the invention was made, subject to an obligation of assignment to the same person. This addition to §103(c) applies to any original application filed on or after Nov. 29, 1999. The present application was filed on June 19, 2000. Also, Anderson and the present application were both subject to assignment to Safety Components Fabric Technologies, Inc. Specifically, the files of the present application refer to an assignment recorded in the PTO at Reel and Frame Nos. 011057/0268 to Safety Component Fabric Technologies, Inc. Likewise, Anderson was also formally assigned to Safety Component Fabric Technologies, Inc. on June 16, 1999, such assignment being recorded in the PTO at Reel and Frame Nos. 010119/0900. Accordingly, for at least this reason, Applicant respectfully submits that Anderson is not available as prior art to the present application under §102(e)/103.

In addition, the above references and U.S. Patent No. 4,452,848 to Geiger were also cited in various combinations to reject dependent claims 2-15 and 17-24. Applicant respectfully submits, however, that at least for the reasons indicated above relating to independent claims 1 and 16, claims 2-15 and 17-24 patentably define over the references cited. However, Applicant also notes that the patentability of dependent claims 2-15 and 17-24 certainly does not hinge on the patentability of independent claims 1 and 16. In particular, it is believed that these claims possess features that are independently patentable, regardless of the patentability of claims 1 and 16.

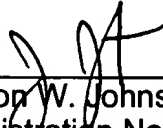
Thus, for at least the reasons set forth above, Applicant respectfully submits that the present claims patentably define over the prior art of record. It is believed that the present application is in complete condition for allowance and favorable action,

therefore is requested. Examiner Ruddock is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this response.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully submitted,

DORITY & MANNING, P.A.

  
\_\_\_\_\_  
Jason W. Johnston  
Registration No. 45,675

DORITY & MANNING, P.A.  
P.O. Box 1449  
Greenville, SC 29602-1449  
(864) 271-1592  
Fax: (864) 233-7342

Date: 6/28/02